

**CERTIFICATE UNDER 37 CFR 3.73(b)**

First Applicant: BEAVERS Lisa Selsam

Serial No.: PCT/US2005/010240

Application Date: March 25, 2005

US Nat'l Entry Date:

Entitled: HISTAMINE H3 RECEPTOR AGENTS, PREPARATION AND THERAPEUTIC USES

ELI LILLY AND COMPANY, an Indiana Corporation

(Name of Assignee)

(Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above.

☐ The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame.

☒ The assignments are being submitted separately for recordation; a copy of the assignments are attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

29 September 2006

Date

\_\_\_\_\_/Dan L. Wood/ \_\_\_\_\_

Dan L. Wood  
Patent Attorney



**ASSIGNMENT**

**WHEREAS I**, am an inventor or co-inventor (with the persons listed below) of an invention that is the subject of a patent application ("Application") which is entitled Histamine H3 Receptor Agents, Preparation and Therapeutic Uses, containing 129 pages and 0 drawings, and which:

☐ is being filed:

☒ was filed:

☒ in the United States Patent and Trademark Office

☐ in the United Kingdom Patent Office

☐ in the European Patent Office

☐ in the Spanish Patent Office as a European Application

☐ as an international application under the Patent Cooperation Treaty ("PCT"), with:

☐ United States Patent and Trademark Office acting as Receiving Office, or

☐ International Bureau acting as Receiving Office;

on April 1, 2004 and accorded serial number 60/558,542;

and

**WHEREAS ELI LILLY AND COMPANY**, an Indiana corporation having its principal place of business at Lilly Corporate Center, Indianapolis, Indiana 46285, wishes to acquire the entire interest in all inventions disclosed in such Application;

**NOW, THEREFORE**, in consideration of my employment, any agreements related thereto, or other good and valuable consideration, the receipt of which is hereby acknowledged, I hereby assign to Eli Lilly and Company, its successors and assigns (collectively "Lilly") my entire right, title and interest in, to and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all present or future patent applications to such inventions that may be filed in any country, inclusive of, but not limited to, continuations, continuations-in-part, divisions, substitutions, reexaminations, reissues, international applications filed under the PCT, United States provisional patent applications, subsequent United States provisional patent applications claiming some or all of this invention, certificates of addition, utility models, petty patents, as well as all other intellectual property related to the Application, inclusive of, but not limited to, supplementary protection certificates; and any related patent

term extensions which may be granted for Letters Patent with respect to the Application; all of the above to be held and enjoyed by Lilly for its own use and enjoyment to the full end of the term or terms for which such Letters Patent and related intellectual property rights may be granted, as fully and entirely as the same would have been held and enjoyed by me had this Assignment and sale to Lilly not been made.

For myself and for my heirs, successors and legal representatives, I covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

For myself and for my heirs, successors and legal representatives, I further covenant and agree with Lilly that upon request I and they will, without further consideration than that now paid, but at the expense of Lilly: (i) execute original, provisional, substitute, continuation, divisional, continuation-in-part, reexamined, or reissued applications, amended specifications, or rightful declarations or oaths for such application; (ii) communicate to Lilly any facts known to me or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings, litigation discovery proceedings and depositions, oppositions, cancellation proceedings, priority contests, public use proceedings, administrative agency proceedings, litigation and other court actions and the like; (iv) execute and deliver any application papers, affidavits, declarations, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for Lilly, may be necessary or desirable to secure the grant of Letters Patent and related intellectual property to Lilly or its nominees, in the United States and in all other countries where Lilly may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for Lilly and to vest and confirm in Lilly or its nominees the full and complete legal and equitable title to all such Letters Patent and related intellectual property.

IN WITNESS WHEREOF I have executed this assignment on the date indicated below.

4-12-04

Date

Lisa Selsam Beavers

Lisa Selsam Beavers

191 West State Road 252

Franklin, Indiana 46131

Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
  ) SS:  
COUNTY OF MARION        )



Before me, a Notary Public for Johnson County, State of Indiana, personally appeared Lisa Selsam Beavers and acknowledged the execution of the foregoing instrument this 12 day of April, 2004.

Laura Waltry

Notary Public

Commission Expires: March 20, 2008

4/12/04  
Date

Don Richard Finley  
Don Richard Finley  
4644 Macy Drive  
Greenwood, Indiana 46142  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF MARION     )

Before me, a Notary Public for Johnson County, State of Indiana, personally appeared Don Richard Finley and acknowledged the execution of the foregoing instrument this 12 day of April, 2004.



Laura Walty  
Notary Public  
Commission Expires: March 20, 2008

4/12/04  
Date

Robert Alan Gadski  
Robert Alan Gadski  
4431 North Illinois  
Indianapolis, Indiana 46208  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF MARION     )

Before me, a Notary Public for Johnson County, State of Indiana, personally appeared Robert Alan Gadski and acknowledged the execution of the foregoing instrument this 12 day of April, 2004.



Laura Walty  
Notary Public  
Commission Expires: March 20, 2008

4/12/2004  
Date

Philip Arthur Hipskind  
Philip Arthur Hipskind  
4255 South Cabin Court  
New Palestine, Indiana 46163  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
  ) SS:  
COUNTY OF MARION        )

Before me, a Notary Public for Johnson County, State of Indiana, personally appeared Philip Arthur Hipskind and acknowledged the execution of the foregoing instrument this 12 day of April, 2004.



Laura Waltey  
Notary Public  
Commission Expires: March 20, 2008

4/12/04  
Date

William Joseph Hornback  
William Joseph Hornback  
10063 Bent Tree Lane  
Fishers, Indiana 46038  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
  ) SS:  
COUNTY OF MARION        )

Before me, a Notary Public for Johnson County, State of Indiana, personally appeared William Joseph Hornback and acknowledged the execution of the foregoing instrument this 12 day of April, 2004.



Laura Waltey  
Notary Public  
Commission Expires: March 20, 2008

04/12/04  
Date

Cynthia Darshini Jesudason  
Cynthia Darshini Jesudason  
1090 Fleetwood Drive  
Indianapolis, Indiana 46228  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
  ) SS:  
COUNTY OF MARION        )

Before me, a Notary Public for Johnson County, State of Indiana, personally appeared Cynthia Darshini Jesudason and acknowledged the execution of the foregoing instrument this 12 day of April, 2004.



Laura Warty  
Notary Public  
Commission Expires: March 20, 2008

4-12-04  
Date

Richard Todd Pickard  
Richard Todd Pickard  
20980 Prairie Baptist Road  
Noblesville, Indiana 46060  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
  ) SS:  
COUNTY OF MARION        )

Before me, a Notary Public for Johnson County, State of Indiana, personally appeared Richard Todd Pickard and acknowledged the execution of the foregoing instrument this 12 day of April, 2004.



Laura Warty  
Notary Public  
Commission Expires: March 20, 2008

4/13/2004  
Date

Takako Takakuwa  
Takako Takakuwa  
7653 Germander Lane  
Indianapolis, Indiana 46237  
Citizenship: Japan

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
  ) SS:  
COUNTY OF MARION        )

Before me, a Notary Public for Johnson County, State of Indiana, personally appeared Takako Takakuwa and acknowledged the execution of the foregoing instrument this 13 day of April, 2004.



Laura Walz  
Notary Public  
Commission Expires: March 20, 2008

4-12-04  
Date

Grant Mathews Vaught  
Grant Mathews Vaught  
7352 Tarragon Lane  
Indianapolis, Indiana 46237  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
  ) SS:  
COUNTY OF MARION        )


Before me, a Notary Public for Johnson County, State of Indiana, personally appeared Grant Mathews Vaught and acknowledged the execution of the foregoing instrument this 12 day of April, 2004.



Laura Walz  
Notary Public  
Commission Expires: March 20, 2008

**IN WITNESS WHEREOF** I have executed this assignment on the date indicated below.

14 April 04  
Date

  
\_\_\_\_\_  
Terry Patrick Finn  
Eli Lilly and Company Limited  
Kingslere Road  
Basingstoke, Hampshire RG21 2XA  
United Kingdom  
Citizenship: British

**ASSIGNMENT**

**WHEREAS I**, am an inventor or co-inventor (with the persons listed below) of an invention that is the subject of a patent application ("Application") which is entitled Histamine H3 Receptor Agents, Preparation and Therapeutic Uses, containing 176 pages and 0 drawings, and which:

☐ is being filed:

☒ was filed:

☒ in the United States Patent and Trademark Office

☐ in the United Kingdom Patent Office

☐ in the European Patent Office

☐ in the Spanish Patent Office as a European Application

☐ as an international application under the Patent Cooperation Treaty ("PCT"), with:

☐ United States Patent and Trademark Office acting as Receiving Office, or

☐ International Bureau acting as Receiving Office;

☐

on October 8, 2004 and accorded serial number 60/617101;

and

**WHEREAS ELI LILLY AND COMPANY**, an Indiana corporation having its principal place of business at Lilly Corporate Center, Indianapolis, Indiana 46285, wishes to acquire the entire interest in all inventions disclosed in such Application;

**NOW, THEREFORE**, in consideration of my employment, any agreements related thereto, or other good and valuable consideration, the receipt of which is hereby acknowledged, I hereby assign to Eli Lilly and Company, its successors and assigns (collectively "Lilly") my entire right, title and interest in, to and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all present or future patent applications to such inventions that may be filed in any country, inclusive of, but not limited to, continuations, continuations-in-part, divisions, substitutions, reexaminations, reissues, international applications filed under the PCT, United States provisional patent applications, subsequent United States provisional patent applications claiming some or all of this invention, certificates of addition, utility models, petty patents, as well as all other intellectual property related to the Application, inclusive of, but not limited to, supplementary protection certificates; and any related patent term extensions which may be granted for Letters Patent with respect to the Application; all of the above to be held and enjoyed by Lilly for its own use and enjoyment to the full end of the term or terms for which such Letters Patent and related intellectual property rights may be granted, as fully and entirely as the same would have been held and enjoyed by me had this Assignment and sale to Lilly not been made.

For myself and for my heirs, successors and legal representatives, I covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

For myself and for my heirs, successors and legal representatives, I further covenant and agree with Lilly that upon request I and they will, without further consideration than that now paid, but at the expense of Lilly: (i) execute original, provisional, substitute, continuation, divisional, continuation-in-part, reexamined, or reissued applications, amended specifications, or rightful declarations or oaths for such application; (ii) communicate to Lilly any facts known to me or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings, litigation discovery proceedings and depositions, oppositions, cancellation proceedings, priority contests, public use proceedings, administrative agency proceedings, litigation and other court actions and the like; (iv) execute and deliver any application papers, affidavits, declarations, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for Lilly, may be necessary or desirable to secure the grant of Letters Patent and related intellectual property to Lilly or its nominees, in the United States and in all other countries where Lilly may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for Lilly and to vest and confirm in Lilly or its nominees the full and complete legal and equitable title to all such Letters Patent and related intellectual property.

IN WITNESS WHEREOF I have executed this assignment on the date indicated below.

Nov. 23, 2004  
 Date **Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009** *u*

*Lisa Selsam Beavers*  
 Lisa Selsam Beavers  
 191 West State Road 252  
 Franklin, Indiana 46131  
 Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
   ) SS:  
 COUNTY OF MARION        )

Before me, a Notary Public for Marion County, State of Indiana, personally appeared Lisa Selsam Beavers and acknowledged the execution of the foregoing instrument this 23<sup>rd</sup> day of November, 2004.

**Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009**

*Renee Y. Edwards*  
 Notary Public  
 Commission Expires:

11/24/04  
Date

Don Richard Finley  
Don Richard Finley  
4644 Macy Drive  
Greenwood, Indiana 46142  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF MARION    )

Before me, a Notary Public for Marion County, State of Indiana, personally appeared Don Richard Finley and acknowledged the execution of the foregoing instrument this 24th day of November, 2004.

**Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009**

[Signature]  
Notary Public  
Commission Expires:

11/23/04  
Date

Robert Alan Galski  
Robert Alan Galski  
4431 North Illinois  
Indianapolis, Indiana 46208  
Citizenship: United States of America

UNITED STATES OF AMERICA

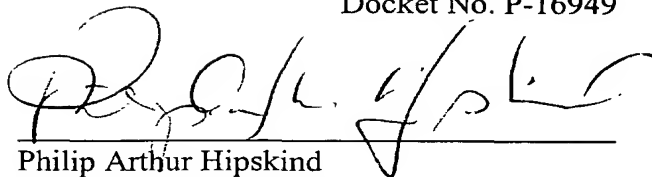
STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF MARION    )

Before me, a Notary Public for Marion County, State of Indiana, personally appeared Robert Alan Galski and acknowledged the execution of the foregoing instrument this 23rd day of November, 2004.

**Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009**

[Signature]  
Notary Public  
Commission Expires:

March 21, 2005  
Date

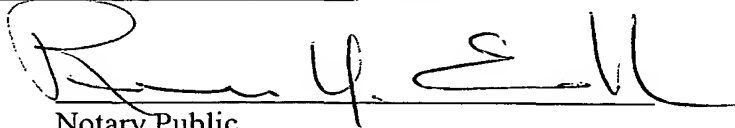


Philip Arthur Hipkind  
4255 South Cabin Court  
New Palestine, Indiana 46163  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
  ) SS:  
COUNTY OF MARION        )

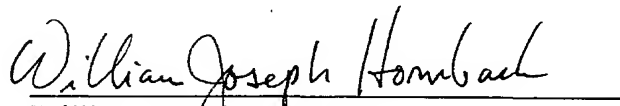
Before me, a Notary Public for Marion County, State of Indiana,  
personally appeared Philip Arthur Hipkind and acknowledged the execution of the  
foregoing instrument this 21<sup>st</sup> day of March, 2004.



**Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009**

Notary Public  
Commission Expires:

11/23/04  
Date



William Joseph Hornback  
10063 Bent Tree Lane  
Fishers, Indiana 46038  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA           )  
  ) SS:  
COUNTY OF MARION        )

Before me, a Notary Public for Marion County, State of Indiana,  
personally appeared William Joseph Hornback and acknowledged the execution of the  
foregoing instrument this 23<sup>rd</sup> day of November, 2004.



**Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009**

Notary Public  
Commission Expires:

11/23/04  
Date

Cynthia Darshini Jesudason  
Cynthia Darshini Jesudason  
1090 Fleetwood Drive  
Indianapolis, Indiana 46228  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF MARION     )

Before me, a Notary Public for Marion County, State of Indiana, personally appeared Cynthia Darshini Jesudason and acknowledged the execution of the foregoing instrument this 23rd day of November, 2004.

**Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009**

Renee Y. Edwards  
Notary Public  
Commission Expires:

12-6-04  
Date

R. T. R.  
Richard Todd Pickard  
20980 Prairie Baptist Road  
Noblesville, Indiana 46060  
Citizenship: United States of America

UNITED STATES OF AMERICA

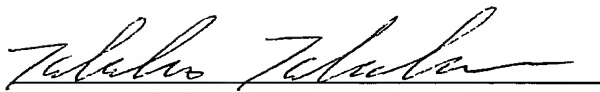
STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF MARION     )

Before me, a Notary Public for Marion County, State of Indiana, personally appeared Richard Todd Pickard and acknowledged the execution of the foregoing instrument this 6th day of December, 2004.

**Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009**

Renee Y. Edwards  
Notary Public  
Commission Expires:

12/2/2004  
Date

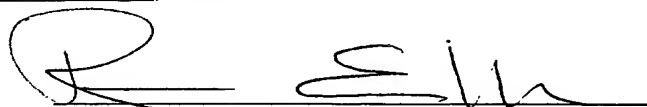
  
Takako Takakuwa  
7653 Germander Lane  
Indianapolis, Indiana 46237  
Citizenship: Japan

UNITED STATES OF AMERICA

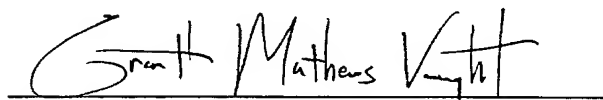
STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF MARION     )

Before me, a Notary Public for Marion County, State of Indiana,  
personally appeared Takako Takakuwa and acknowledged the execution of the foregoing  
instrument this 2nd day of December, 2004.

**Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009**

  
Notary Public  
Commission Expires:

11/23/04  
Date

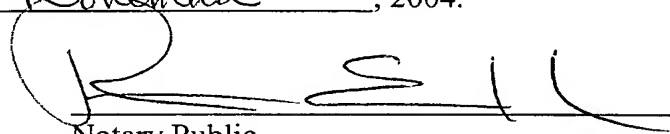
  
Grant Mathews Vaught  
7352 Tarragon Lane  
Indianapolis, Indiana 46237  
Citizenship: United States of America

UNITED STATES OF AMERICA

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF MARION     )


Before me, a Notary Public for Marion County, State of Indiana,  
personally appeared Grant Mathews Vaught and acknowledged the execution of the  
foregoing instrument this 23rd day of November, 2004.

**Renee Y. Edwards, Notary Public**  
**Resident of Marion County**  
**My Commission Expires:**  
**February 27, 2009**

  
Notary Public  
Commission Expires:

**IN WITNESS WHEREOF** I have executed this assignment on the date indicated below.

12 Oct. 2004  
Date

  
\_\_\_\_\_  
Terry Patrick Finn  
Eli Lilly and Company Limited  
Kingslere Road  
Basingstoke, Hampshire RG21 2XA  
United Kingdom  
Citizenship: British

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby appoint:

☒ Practitioners associated with the Customer Number:

25885

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

Eli Lilly and Company

Patent Division

PO Box 6288

Indianapolis, Indiana 46206-6288

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Douglas K. Norman	Date	10 August 2004
Signature	<i>Douglas K. Norman</i>	Telephone	317-433-1651
Title	Deputy General Counsel, General Patent Counsel		

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.